UR 15/1 (3)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR [C.G.]

Single Bench

Civil Revision NO.----------18----------/2007

APPLICANT
Claimant

Parvati Bai
W/o late Shri Kholbahara @ Farwa Sahu Aged- about 26 years R/o – Bareli Thana- Bilaigarh, Distt.- Raipur [C.G.]

VERSUS

RESPONDENTS
Non-Applicants

**1.** Shiv Shankar Panda
S/o Goarago Panda Aged- about 65 years R/o Bahadur Tikara, Thana & Tahsil – Bargarh Through- Maharaja Transport, Distt.-Bargarh, [Orrissa ]

**2.** Bhawani Shankar Sharma S/o Mansha Ram Sharma, R/o- Bargarh Thana & District- Bargarh [Orrissa]

3. United India Insurence co. ltd. Branch- Bargarh, Distt- Bargarh [orrissa]

P.R. No. 355/07 Presented by Shri S.K. Gupta dated 21/12/07

CIVIL REVISION UNDER SECTION 115 OF THE OF THE CODE OF CIVIL PROCEDURE

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(21)

**मामला क्रमांक** C.R.No.18/2007 **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

| आदेश का दिनांक तथा आदेश क्रमांक | हस्ताक्षर सहित आदेश | कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश |
|---|---|---|
| | **13.02.2007**<br>Applicant-Parvati Bai by Shri Shiv Kumar Guha, Advocate.<br>This Civil Revision is being disposed of at the stage of admission without notice to the respondents.<br>The applicant is aggrieved by an order dated 06.12.2006 passed by the learned First Additional Claim Tribunal, Baloda Bazaar, Dist. Raipur whereby the applicant's prayer for disbursement of the amount of Rs.1,88,000/- deposited as compensation lying in fixed deposit, for the purpose of construction of a house was turned down.<br>Brief facts are that in claim case No. 01/2003 vide award dated 15.04.2004 compensation of Rs.1,88,000/- was awarded. Compensation of being paid was deposited in fixed deposit in the name of applicant-Parvathi for 5 years. The applicant moved an application stating that she was living with her old mother and wanted to construct her own house, and therefore, was in need of the money. It was prayed that the amount deposited in fixed deposit be disbursed to the applicant. In support of the application, the applicant had filed an affidavit showing that she had agreed to purchase land from one Rameshwar who also filed an affidavit in support of the applicant's version and also filed other documents showing title over the agricultural land. The learned M.A.C.T. taking a highly technical view rejected the prayer.<br>Learned counsel for the applicant submitted that the husband of the applicant had died in the accident. Since the prayer was duly supported by the affidavit of the applicant as also Rameshwar, there was nothing on record to show that the prayer made by the applicant or the need for the money was not genuine. In such matters the need of the | |

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

**मामला क्रमांक ..... सन् 200**

**आदेश पत्रक (पूर्वानुबद्ध)**

| आदेश का दिनांक तथा आदेश क्रमांक | हस्ताक्षर सहित आदेश -2- | कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश |
|---|---|---|
| Ajjani | **applicant should be liberally viewed and the compensation be disbursed in appropriate cases.**<br>**In this view of the matter, the learned M.A.C.T. is directed to disburse the amount lying in fixed deposit to the applicant forthwith.**<br>**Revision is allowed.**<br>**Sd/-**<br>**Dilip Raosaheb Deshmukh**<br>**Judge** | |